

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference RM.IMBa	FOR FURTHER ACTION		See item 4 below
International application No. PCT/US2004/018495	International filing date (<i>day/month/year</i>) 10 June 2004 (10.06.2004)	Priority date (<i>day/month/year</i>) 10 June 2003 (10.06.2003)	
International Patent Classification (IPC) or national classification and IPC 7 B60S 1/38			
Applicant FLEXSYS, INC.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

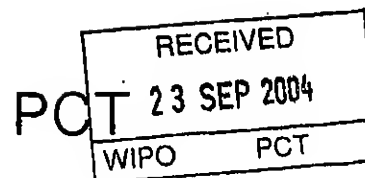
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|--|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input checked="" type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Date of issuance of this report 13 December 2005 (13.12.2005)
	Authorized officer <p style="text-align: center;">Philippe Becamel</p> Telephone No. +41 22 338 70 90

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY



To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2004/018495

International filing date (day/month/year)
10.06.2004

Priority date (day/month/year)
10.06.2003

International Patent Classification (IPC) or both national classification and IPC
B60S1/38

Applicant
FLEXSYS, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2004/018495

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2004/018495

Box No. II Priority

1. ☒ The following document has not been furnished:

- ☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).
- ☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	1-7
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 The following documents are referred to in this communication:
D1: GB-A-1 078 066 (TRINDON MFG LTD) 2 August 1967 (1967-08-02)

- 2 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parenthesis applying to this document, see figs 1-4): a windshield wiper arrangement (2) for a windshield (4) of a vehicle, the windshield wiper arrangement (2) being coupled to a windshield wiper arm (8) that is coupled at a first end thereof to the vehicle and at a second end thereof to the windshield wiper arrangement (2) for applying a force thereto with respect to the vehicle in a direction that urges the windshield wiper arrangement (2) toward the windshield (4) and which moves the windshield wiper arrangement (2) across the windshield (4), the windshield wiper arrangement (2) having windshield wiper blade (3) coupled thereto for communicating with the windshield (4) of the vehicle, the windshield wiper arrangement (2) further comprising, a windshield wiper blade support (2) formed of a resilient material (see p.3, lines 3-12), the windshield wiper blade support (2) having a primary beam (6) having first and second ends, said primary beam (6) being arranged to be coupled with the windshield wiper arm (8) in a coupling region intermediate of the first and second ends (10) to define first and second portions of said primary beam between the coupling region and the first end, and between the coupling region and the second end, respectively; a first compliant beam portion (9) integrally formed with said primary beam (6),

From this, the subject-matter of independent claim 1 differs in that: said first compliant beam portion being formed of three compliant sections arranged as an end-point triangle having three compliant section junctures, said first compliant beam portion being coupled at one of the three compliant section junctures to the first end of said primary beam and the remaining two compliant section junctures being arranged to couple with the windshield wiper blade;
a second compliant beam portion integrally formed with said primary beam, said second compliant beam portion being formed of two compliant sections arranged as a triangle with a portion of the first portion of said primary beam forming a leg of the triangle, a compliant section juncture distal from the first portion of said primary beam being arranged to couple with the windshield wiper blade;
a third compliant beam portion integrally formed with said primary beam, said third

compliant beam portion being formed of two compliant sections arranged as a triangle with a portion of the second portion of said primary beam forming a leg of the triangle, a compliant section juncture distal from the second portion of said primary beam being arranged to couple with the windshield wiper blade.

- 2.1 The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)
The problem to be solved by the present invention may be regarded as : how to provide a windshield wiper having a minimal number of separate parts but having a good predetermined distribution of force in the direction of the windshield.
- 2.2 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons : No prior art discloses or suggests such a special arrangement of a first, second and third compliant beam portion integrally formed with the primary beam. The man skilled in the art would therefore never have come to this very specific shape of the wiper harness without exercising inventive skills.
- 2.3 Claims 2-7 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.
- 3 The invention is industrially applicable in the field of windscreen wipers for vehicles.